

**FILED**

**SEP 21 2006**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

Oregon Natural Desert Association v. United States Forest Service, No. 05-35689

FERNANDEZ, Circuit Judge, Dissenting

For the reasons stated in my dissenting opinion in Oregon Natural Desert Association v. United States Forest Service, No. 05-35637, I respectfully dissent.